

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) A write-once-type recording medium ~~on which record data can be recorded only once,~~ comprising:
a data area to record therein ~~the~~ record data; and
a shared area to ~~temporarily~~ record therein evacuation data which is record data to be recorded ~~or already recorded~~ at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, together.
2. (Original) The write-once-type recording medium according to claim 1, wherein the evacuation data and the defect management information are continuously recorded in said shared area.
3. (Original) The write-once-type recording medium according to claim 1, wherein the evacuation data and the defect management information are each recorded, repeatedly, a plurality of times, in said shared area.
4. (Original) The write-once-type recording medium according to claim 1, comprising a plurality of shared areas.
5. (Currently Amended) The write-once-type recording medium according to claim 1, further comprising: a definite defect management area to record therein defect management information; and a control information recording area to record therein information for controlling at least one of

operations of recording and reading in said data area, said definite defect management area being disposed in said control information recording area including a definite defect management area to record therein defect management information of said data area.

6. (Original) The write-once-type recording medium according to claim 5, wherein said shared area is disposed between said control information recording area and said data area.

7. (Currently Amended) A recording apparatus for recording record data onto a write-once-type recording medium ~~on which record data can be recorded only once,~~ comprising: (i) a data area to record therein the record data; and (ii) a shared area to ~~temporarily~~ record therein evacuation data which is record data to be recorded ~~or already recorded~~ at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, together,

said recording apparatus comprising:

a first recording device for recording the record data into said data area; and

a second recording device for recording the evacuation data and the defect management information into said shared area.

8. (Original) The recording apparatus according to claim 7, wherein said second recording device records the evacuation data and the defect management information, continuously into said shared area.

9. (Original) The recording apparatus according to claim 7, wherein said second recording device uses a border point of a data-recorded-area and a data-unrecorded-area in said shared

area as start point, to thereby record the evacuation data and the defect management information into the data-unrecorded-area.

10. (Currently Amended) A recording method of recording record data onto a write-once-type recording medium ~~on which record data can be recorded only once,~~ comprising: (i) a data area to record therein the record data; and (ii) a shared area to ~~temporarily~~ record therein evacuation data which is record data to be recorded ~~or already recorded~~ at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, together,

 said recording method comprising:

 a first recording process of recording the record data into said data area; and

 a second recording process of recording the evacuation data and the defect management information into said shared area.

11. (Currently Amended) A reproducing apparatus for reproducing the record data recorded on ~~the~~ write-once-type recording medium comprising: a data area to record therein the record data; and a shared area to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, together according to claim 1,

 said reproducing apparatus comprising:

 a reading device for reading the defect management information recorded in said shared area; and

 a reproducing device for reproducing the record data recorded in said data area or the evacuation data recorded in

said spare area, on the basis of the read defect management information.

12. (Original) The reproducing apparatus according to claim 11, wherein said reading device searches for a border point of a data-recorded-area and a data-unrecorded-area in said shared area, to thereby read the defect management information.

13. (Currently Amended) A reproducing method of reproducing the record data recorded on ~~thea~~ write-once-type recording medium comprising: a data area to record therein the record data; and a shared area to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, togetheraccording to claim 1,

 said reproducing method comprising:

 a reading process of reading the defect management information recorded in said shared area; and

 a reproducing process of reproducing the record data recorded in said data area or the evacuation data recorded in said spare area, on the basis of the read defect management information.

14. (Currently Amended) A computer program product for recording control in a computer-readable medium for tangibly embodying a program of instructions executable by control a computer provided for disposed in thea recording apparatus according to claim 7, said program making the computer function as at least one portion of said first recording device and said second recording device,

said recording apparatus for recording record data onto a write-once-type recording medium comprising: (i) a data area

to record therein the record data; and (ii) a shared area to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, together,

said recording apparatus comprising:

said first recording device for recording the record data into said data area; and

said second recording device for recording the evacuation data and the defect management information into said shared area.

15. (Currently Amended) A computer program product for reproduction control in a computer-readable medium for tangibly embodying a program of instructions executable by a computer provided for disposed in the reproducing apparatus according to claim 11, said program making the computer function as at least one portion of said reading device and said reproducing device,

said reproducing apparatus for reproducing the record data recorded on a write-once-type recording medium comprising: a data area to record therein record data; and a shared area to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and defect management information including an evacuation source address of the evacuation data, together,

said reproducing apparatus comprising:

said reading device for reading the defect management information recorded in said shared area; and

said reproducing device for reproducing the record data recorded in said data area or the evacuation data recorded in said spare area, on the basis of the read defect management information.

16. (Currently Amended) A data structure comprising:

a data area to record therein the record data; and
a shared area to ~~temporarily~~ record therein evacuation
data which is record data to be recorded ~~or already recorded~~
at a position of a defect in said data area and defect
management information including an evacuation source address
of the evacuation data, together.